

Remarks/Arguments

Applicants have received and carefully reviewed the Office Action of the Examiner mailed April 1, 2008. Currently, claims 47-59 remain pending. Claims 47-59 have been rejected. Favorable consideration of the following remarks is respectfully requested.

Claim Rejections – 35 USC § 102

Claims 47, 48, 49, 52, 53, and 59 were rejected under 35 U.S.C. 102(b) as anticipated by Klumpp (U.S. Patent No. 2,724,736). After careful review, Applicant must respectfully traverse this rejection.

“A claim is anticipated only if each and every element as set forth in the claim is found, either expressly or inherently described, in a single prior art reference.”
Verdegaal Bros. v. Union Oil Co. of California, 814 F.2d 628, 631, 2 USPQ2d 1051, 1053 (Fed. Cir. 1987). (See MPEP § 2131). Nowhere does Klumpp appear to teach or suggest, “a hollow tube held at least partially within the lumen”, as recited in claim 47.

Instead, Klumpp appears to teach a self-locking pass-through strain relief for a solid cord or wire bundle which passes through a support of a plate type, specifically self-locking pass-through strain relief for a cord or wire bundle which requires and relies upon a “locking key slidably carried by the main portion”. (See claim 1.) Further, the disclosure of Klumpp does not appear to include a “hub” as that term is used in the pending application and the medical art to which the application pertains. In that usage, a hub provides a termination for at least one element, usually a catheter, and a point of connection to second element which continues the lumen or through passage of the first element. See for example, Pike (U.S. Patent No. 5,967,490) “A catheter hub including a housing having a connection end defining a first fluid passageway and a catheter end defining a second fluid passageway.” or Kvalo (U.S. Patent No. 4,828,549) “The catheter generally extends co-axially from the distal end of a catheter hub. The hub, having a lumen therethrough, is open at its proximal end to receive an introducer needle.” among many others. (Emphasis added.) Klumpp does not appear to disclose termination of a hollow tube at a hub as would be required for anticipation of claim 47 under 35 U.S.C. 102(b) and Applicants respectfully request that the rejection be withdrawn. Similarly,

Klumpp does not appear to disclose either a hub or “a catheter tube having a proximal portion and a distal portion” disposed within the lumen of the hub and therefore cannot be said to anticipate claim 54. Applicants respectfully request that the rejection of claim 54 be withdrawn.

Additionally, for similar reasons as well as others, claims 48-53 and 55-59, which depend from claims 47 and 54 respectively, and include significant additional limitations, are believed to be not anticipated by Klumpp and Applicants respectfully request that the rejections be withdrawn

Claim Rejections – 35 USC § 103

Claim 51 was rejected under 35 U.S.C. 103(a) as being unpatentable over Klumpp (U.S. Patent No. 2,724,736) in view of Wijkamp et al. (U.S. Patent No. 5,167,647), hereinafter Wijkamp. After careful review, Applicant must respectfully traverse this rejection.

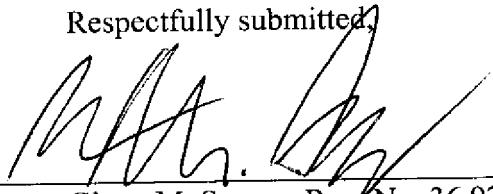
“All words in a claim must be considered in judging the patentability of that claim against the prior art.” *In re Wilson*, 424 F.2d 1382, 1385, 165 USPQ 494, 496 (CCPA 1970). (MPEP § 2143.03). As discussed previously, nowhere does Klumpp appear to disclose a hub as that term is used in the pending application. Furthermore, nowhere Klumpp disclose, “a hollow tube held at least partially within the lumen”, as discussed above. Additionally, nowhere does Wijkamp appear to remedy the shortcomings of Klumpp. Therefore, Klumpp in view of Wijkamp does not appear to teach all the claim limitations, as is required to establish a *prima facie* case of obviousness. Therefore, for at least these reasons, Applicant respectfully asserts that claim 51 is patentable over Klumpp in view of Wijkamp and Applicants respectfully request withdrawal of the rejection.

In view of the foregoing, all pending claims are believed to be in a condition for allowance. Reexamination and reconsideration are respectfully requested. Issuance of a

Notice of Allowance in due course is anticipated. If a telephone conference might be of assistance, please contact the undersigned attorney at (612) 677-9050.

Respectfully submitted,

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